

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission

From: Planning Division

Date: December 22, 2004

Re: STREET DEDICATION REQUEST – EXTENSION OF PALMER DRIVE

I. PETITIONER

Donald C. Rapp, Inc., a Virginia Corporation, 1820 Old Forest Road, Lynchburg, VA 24501

Representative: Mr. Thomas C. Brooks, Sr., Acres of Virginia, Inc., 404 Clay Street, Lynchburg, VA 24504

II. LOCATION

The subject property consists of 12 proposed new lots containing 4.913 acres located at the end of the existing Palmer Drive, off Grove Road.

Property Owner: Donald C. Rapp, Inc., a Virginia Corporation, 1820 Old Forest Road, Lynchburg, VA 24501

III. PURPOSE

The purpose of the petition is to dedicate 0.907 acres for right-of-way for the proposed public street extension of Palmer Drive, an existing public street off Grove Road in order to develop the property into 12 new single-family lots.

IV. SUMMARY

- Petition agrees with the Subdivision Ordinance requirements for subdividing the property according to the existing R-1, Low Density, Single-Family Residential District zoning.
- Petition agrees with the Zoning Ordinance requirements for the street frontage extension and lot sizes.

The Planning Division recommends approval of the public street extension request.

V. FINDINGS OF FACT

1. **Background.** Donald C. Rapp, Inc., a Virginia Corporation, represented by Thomas C. Brooks, Sr., Acres of Virginia, Inc., is requesting to dedicate an extension of Palmer Drive, an existing public street off Grove Road. The proposed street would extend Palmer Drive, with fifty (50) feet of right-of-way, in a northwesterly direction for approximately 730 feet to its terminus in a cul-de-sac.

The extension of Palmer Drive would serve 12 new lots for low density, single-family residential development.

2. **Zoning.** The existing R-1, Low Density, Single-Family Residential District zoning was established in 1978 with the adoption of the current Zoning Ordinance.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the subdivision and street dedication request.
4. **Proposed Use of Property.** The purpose of the subdivision and street dedication is to create 12 new lots for low density, single-family residential development.

5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a proposed plat showing 18 lots and dedication of the Palmer Drive street extension on March 23. This proposal required a Conditional Use Permit (CUP) to allow a planned unit development in the R-1, Single-Family Residential District. City Council denied the CUP request on July 13. The lots for the new proposed subdivision are laid out according to the R-1 District regulations. The TRC had the following comments of significance to the consideration of the requested subdivision and street extension:

- “Curb and gutter will be required for this project.”
- “The City would like a water line easement to the street along Lot 18 (now Lot 12).”
- “Submit road, water and sewer plans to the Engineering Division. The subdivision plat will not be signed until road, water and sewer plans have been finalized.”
- “The minimum lot width is 100.’ Lots 9 and 10 indicate less.”
- “The minimum lot width at the building line is 100.’ Verify that the lots meet this requirement.”
- “Two of the lots show an encroachment of buildings. Are these buildings to remain? If so, will easements be granted?”

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street extension of Palmer Drive, with fifty feet of right-of-way, approximately 730 feet in length, to be constructed in substantial compliance with the plat by Acres of Virginia, Inc., dated Revised November 3, 2004. The dedication of the extension of Palmer Drive and its acceptance as a public street is contingent on Donald C. Rapp, Inc., a Virginia Corporation filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City’s acceptance of the extension of Palmer Drive as a public street null and void.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Robert S. Fowler, Zoning Official
Mr. Thomas C. Brooks, Sr., Representative

VII. ATTACHMENTS

1. Plat Showing Lots 1-12, Section 2, Palmer Woods

(see attached plat by Acres of Virginia, Inc., dated “Revised November 3, 2004”)